

Application No. 10/685,073

Response to Communication dated November 22, 2005

REMARKS

Claims 1-38 are pending. Claims 19-25 and 33-38 have been cancelled without prejudice as a result of the restriction requirement. Claim 13 has been withdrawn without prejudice as a result of the restriction requirement. Applicant reserves the right to pursue these claims in a divisional application. On entry of these amendments, claims 1-18 and 26-32 will be pending.

Restriction Requirement


The Applicant is electing to prosecute group I, which corresponds to claims 1-32. Claims 33-38 are being cancelled without prejudice as a result of the restriction requirement. The Applicant is also electing Species A (shown in Figures 1-4 and 14-16). The Applicant is also electing subspecies D. Claims 1-18 and 26-32 cover lancing devices such as, for example, those shown in FIGs. 1-4 and 14-16. Claims 19-25 are being cancelled without prejudice as a result of the species election. Because of the subspecies election, claim 13 is being withdrawn without prejudice.

Conclusion

The Applicant submits that the claims are in a condition for allowance and action toward that end is earnestly solicited. It is believed that no other additional fees are due; however, should any additional fees be required (except for payment of the issue fee), the Commissioner is authorized to deduct the fees from Bayer Healthcare LLC Deposit Account No. 13-3375(MSE-#2671).

Respectfully submitted,

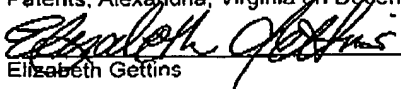
December 1, 2005
Date



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Certificate of Mailing

I hereby certify that this correspondence is being facsimile transmitted (571-273-8300) to the Commission for Patents, Alexandria, Virginia on December 1, 2005.


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